

1 GEOFFREY A. HANSEN  
Acting Federal Public Defender  
2 VARELL L. FULLER  
Assistant Federal Public Defender  
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5 Counsel for Defendant RUELAS  
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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,	)	Nos. CR 11- 00558 - LHK
	)	CR 11- 00559 - LHK
12 Plaintiff,	)	CR 11- 00560 - LHK
	)	CR 11- 00706 - LHK
13 vs.	)	
	)	JOINT STIPULATION AND REQUEST TO
14 MICHAEL RUELAS and	)	CONTINUE SENTENCING HEARING
LORENZO ISRAEL GARCIA,	)	DATE TO DECEMBER 5, 2012; AND
	)	<del>PROPOSED</del> ORDER
15 Defendant.	)	
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18 **STIPULATION**

19 Defendant Michael Ruelas, by and through Assistant Federal Public Defender Varell L.  
20 Fuller; Lorenzo Israel Garcia, by and through Counsel Jack Gordon; and the United States, by  
21 and through Assistant United States Attorney Thomas M. O'Connell, hereby stipulate and agree,  
22 subject to the Court's approval, that the sentencing hearing presently set for Wednesday, October  
23 17, 2012, at 9:00 a.m., be continued to Wednesday, December 5, 2012, at 9:00 a.m.

24 Defendants Michael Ruelas and Lorenzo Israel Garcia have pled guilty and a sentencing  
25 hearing is presently set for October 17, 2012, as to both defendants. The parties respectfully ask  
26 that the sentencing hearing date be continued to help facilitate the completion of the presentence

1 report investigation and to permit the parties additional time necessary to effectively prepare for  
2 the sentencing hearing. United States Probation Officer Benjamin Flores, who has been assigned  
3 to conduct the presentence investigation, has been consulted about the requested continuance and  
4 has no objection. The parties further agree that the deadlines by which the United States  
5 Probation Office must disclose the draft and final pre-sentence reports shall be adjusted  
6 according to the new December 5, 2012, sentencing date.

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8 Dated: October 1, 2012

\_\_\_\_\_/s/\_\_\_\_\_  
VARELL L. FULLER  
Assistant Federal Public Defender  
Counsel for Michael Ruelas

9  
10 Dates: October 1, 2012

\_\_\_\_\_/s/\_\_\_\_\_  
JACK GORDON  
Counsel for Lorenzo Israel Garcia

11  
12  
13 Dated October 1, 2012

\_\_\_\_\_/s/\_\_\_\_\_  
THOMAS M. O' CONNELL  
Assistant United States Attorney

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~~PROPOSED~~ ORDER

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17 GOOD CAUSE APPEARING, and by stipulation of the parties, it is hereby ordered that  
18 the sentencing hearing date set for Wednesday, October 17, 2012, at 9:00 a.m. is continued to  
19 Wednesday, December 5, 2012, at 9:00 a.m., and the dates by which United States Probation  
20 must disclose the draft and final pre-sentence reports shall be adjusted accordingly.

21 Dated: 10/2/12

  
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THE HONORABLE LUCY H. KOH  
United States District Court Judge